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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,749	07/15/2003	Yasuo Mutsuro	500.42938X00	6931
20457 7590 05/18/2007 ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			EXAMINER YODER III, CHRISS S	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 05/18/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/618,749	Applicant(s) MUTSURO ET AL.	
	Examiner Chriss S. Yoder, III	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments, see page 12, filed February 5, 2007, with respect to the rejection(s) of claim(s) 1 and 6 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Chiang (US Patent # 6,809,759).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 8, 10-11, 13, 18, 20-21, and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Chiang (US Patent # 6,809,759).
2. In regard to **claims 1 and 10-11**, note Chiang discloses the use of a camera system having a portable device and a camera (figure 5), said portable device comprising a receiver unit to receive image data photographed by the camera (column 5, lines 55-60 and figure 6: 100), a writer unit to write the received image data in a memory medium (column 5, lines 55-60), a memory unit to store an ID for identification

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of the portable device (column 3, lines 39-51), and a transmitter unit to transmit the ID to the camera (column 3, lines 39-51 and figure 6: 100), said camera comprising a receiver unit to receive the ID from the portable device (column 3, lines 39-51 and figure 6: 80), an image pick-up unit to start image pick-up operation when receiving the ID (column 5, lines 10-15 and figure 6: 70), and a transmitter unit to transmit the photographed image data to the portable device (column 5, lines 55-60 and figure 6: 80), wherein said portable device transmits said ID to said camera at intervals of a constant time (column 5, lines 33-36, based on the Bluetooth protocols, the camera is considered to be in standby mode until it receives a "page" command which is transmitted at intervals of a constant time from the portable device).

3. In regard to **claim 8**, note Chiang discloses the use of a shutter unit which indicates timing to be photographed and transmits said ID to said camera according to the indication of the timing to be photographed (column 6, lines 8-11).

4. In regard to **claim 13**, this is a method claim, corresponding to the apparatus in claim 1. Therefore, claim 13 has been analyzed and rejected as previously discussed with respect claim 1.

5. In regard to **claims 18 and 20-21**, note Chiang discloses the use of a user operation stops said portable device from transmitting said ID to said camera at intervals of a constant time (column 3, lines 60-65, by attaching the portable device to the camera, the remote operation is terminated).

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6. In regard to **claim 23**, this is a method claim, corresponding to the apparatus in claim 18. Therefore, claim 23 has been analyzed and rejected as previously discussed with respect claim 18.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-7, 14-17, 19, 22, and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang (US Patent # 6,809,759) in view of Myers (US PGPub # 2002/0101519).

8. In regard to **claim 2**, note Chiang discloses the use of a camera system having a portable device and a camera, as claimed in claim 2 above. Therefore, it can be seen that Chiang fails to disclose that said transmitter unit of the camera transmits said photographed image data and said ID to a server, and that the server receives said image data and said ID from said camera and stores said data and ID as associated with each other. In analogous art, Myers discloses the use of a transmitter unit of a camera that transmits photographed image data and an ID to a server, and that the server receives said image data and said ID from said camera and stores said data and ID as associated with each other (paragraphs 0023-0026). Myers teaches that the transmission of the image data and ID from the camera to a server are preferred in

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order to allow the user to access the photographs and order prints from a remote location at a later time (paragraphs 0027-0028). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Chiang device to include the transmission of the image data and ID from the camera to a server in order to allow the user to access the photographs and order prints from a remote location at a later time, as suggested by Myers.

9. In regard to **claim 3**, note Myers discloses the use of a terminal apparatus (paragraph 0027 and figure 1: 9), said terminal apparatus includes an input unit to enter an ID for identifying said portable device (paragraph 0028 and figure 8), a transceiver unit to transmit the entered ID to said server and to receive image data from said server (paragraph 0028), and an output unit to output the received image data (paragraph 0028, the images are displayed), and said server includes a transceiver unit to receive the ID for identifying said portable device from the terminal apparatus and to transmit image data to the terminal apparatus (paragraph 0028), and a search unit to search for the image data on the basis of the received ID (paragraph 0028, the associated images are retrieved).

10. In regard to **claim 4**, note Myers discloses that said server includes a transceiver unit to receive said ID and a password corresponding to the ID from a computer connected via a network and to transmit said image data corresponding to said ID via the network to the computer (paragraphs 0027-0028, figure 1: 9, and figure 8) and an analyzer unit to analyze said ID and password and to judge whether or not to transmit

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aid image data corresponding to said ID (paragraph 0028, the associated images are retrieved).

11. In regard to **claim 5**, note Myers discloses that the camera includes a unit to generate other image data having a resolution lower than a resolution of said photographed image data (paragraph 0019). Therefore, it can be seen that the primary device of Chiang in view of Myers lacks the transmission of said photographed image data to said server and the transmission of the other image data having the lower resolution to said portable device. Official notice is taken that the concepts and advantages of the transmission of high resolution image data to a server and the transmission of low resolution data to a portable device are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to include the transmission of high resolution image data to a server in order to provide a central storage device to store large amounts of data for convenient user access, which can thereby reduce the storage necessary in the camera, and the transmission of low resolution data to a portable device in order to reduce the bandwidth necessary for transfer and reduce the storage necessary in the portable device.

12. In regard to **claims 6 and 12**, note Chiang discloses the use of a camera system having a portable device (figure 5), said portable device comprising a memory unit to store an ID for identification of the portable device (column 3, lines 39-51), and a transmitter unit to transmit the ID to the camera (column 3, lines 39-51 and figure 6: 100), said camera comprising a receiver unit to receive the ID from the portable device

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(column 3, lines 39-51 and figure 6: 80), an image pick-up unit to start its image pick-up operation when receiving the ID (column 5, lines 10-15 and figure 6: 70), and a transmitter unit (figure 6: 80), wherein said portable device transmits said ID to said camera at intervals of a constant time (column 5, lines 33-36, based on the Bluetooth protocols, the camera is considered to be in standby mode until it receives a "page" command which is transmitted at intervals of a constant time from the portable device).

Therefore, it can be seen that Chiang fails to disclose the use of a server comprising a receiver unit to receive the ID and the image data from the camera, a memory unit to store information indicative of the ID and a transmission destination of the image data corresponding to the ID, and a transmitter unit to transmit the received image data to the transmission destination, and wherein the transmitter unit of the camera transmits the ID and the photographed image data to the server. In analogous art, Myers discloses the use of a server (figure 1: 8) comprising a receiver unit to receive the ID and the image data from the camera (paragraph 0025), a memory unit to store information indicative of the ID and a transmission destination of the image data corresponding to the ID (paragraphs 0025-0027, paragraph 0043 and figure 5), and a transmitter unit to transmit the received image data to the transmission destination (paragraph 0027, the pictures are sent based on the users information), and wherein the transmitter unit of the camera transmits the ID and the photographed image data to the server (paragraph 0023-025). Myers teaches that the transmission of the image data and ID from the camera to a server are preferred in order to allow the user to access the photographs and order prints from a remote location at a later time

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(paragraphs 0027-0028). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Chiang device to include the transmission of the image data and ID from the camera to a server in order to allow the user to access the photographs and order prints from a remote location at a later time, as suggested by Myers.

13. In regard to **claim 7**, note Myers discloses that said camera includes a memory unit to store said image data therein, and before transmitting said image data stores said image data in the memory unit (paragraph 0019). Therefore, it can be seen that the primary reference of Chiang in view of Myers fails to disclose that the server issues transmission permission to said camera according to predetermined conditions before transmitting the image data to the server. Official Notice is taken that the concepts and advantages of account authentication are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device to include the use of account authentication on the server to issue transmission permission to the camera according to predetermined conditions before transmitting the image data to the server in order to verify that the user has permission to access to the storage device.

14. In regard to **claims 14 and 24**, these are method claims, corresponding to the apparatus in claims 1-2 (in combination) and 18, respectively. Therefore, claims 14 and 24 have been analyzed and rejected as previously discussed with respect claims 1-2 and 18.

15. In regard to **claims 15 and 25**, these are method claims, corresponding to the apparatus in claims 6 and 19, respectively. Therefore, claims 15 and 25 have been analyzed and rejected as previously discussed with respect claims 6 and 19.

16. In regard to **claim 16**, note Chiang discloses that said portable device includes a shutter unit which indicates timing to be photographed and transmits said ID to said camera according to the indication of the timing to be photographed (column 6, lines 8-11).

17. In regard to **claim 17**, note Chiang discloses that said portable device transmits said ID to said camera at intervals of a constant time (column 5, lines 33-36, based on the Bluetooth protocols, the camera is considered to be in standby mode until it receives a "page" command which is transmitted at intervals of a constant time from the portable device).

18. In regard to **claims 19 and 22**, note Chiang discloses a user that operation stops said portable device from transmitting said ID to said camera at intervals of a constant time (column 3, lines 60-65, by attaching the portable device to the camera, the remote operation is terminated).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


US 20020113879A1: note the use of remotely controlled cameras connected to a central server, and the use of a palm pilot as the remote.

US006628899B1: note the use of remotely controlled cameras connected to a central server.

US 20020008622A1: note the use of remotely controlled cameras connected to a central server.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (571) 272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



VIVEK SRIVASTAVA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

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CSY

May 14, 2007